



**US Army Corps
of Engineers**
New York District

Final
Environmental Impact Statement
on the
Meadowlands Mills Project

proposed by
Empire Ltd.

May 2002

In Cooperation with

U.S. Environmental Protection Agency
U.S. Fish and Wildlife Service
U.S. National Marine Fisheries Service
New Jersey Department of Transportation
New Jersey Turnpike Authority
New Jersey Transit
New Jersey Meadowlands Commission

Chapter 1

**FINAL ENVIRONMENTAL
IMPACT STATEMENT
ON THE MEADOWLANDS MILLS PROJECT
PROPOSED BY EMPIRE, LTD.**

Lead Agency

United States Army Corps of Engineers

Cooperating Agencies:

Federal

United States Environmental Protection Agency
United States Fish and Wildlife Service
National Marine Fisheries Service

State

New Jersey Department of Transportation
New Jersey Transit
New Jersey Turnpike Authority
New Jersey Meadowlands Commission

**FINAL
ENVIRONMENTAL IMPACT STATEMENT
ON
DEPARTMENT OF THE ARMY PERMIT APPLICATION NUMBER 95-07440-RS
BY EMPIRE, LTD.**

May 2002

Lead Agency

U.S. Army Corps of Engineers
New York District
Regulatory Branch
Jacob K. Javits Federal Building
New York, New York 10278-0090

Cooperating Agencies

U.S. Environmental Protection Agency
U.S. Fish and Wildlife Service
National Marine Fisheries Service
New Jersey Department of Transportation
New Jersey Turnpike Authority
New Jersey Transit
New Jersey Meadowlands Commission

Abstract:

In accordance with National Environmental Policy Act (NEPA) and U.S. Army Corps of Engineers (USACE) regulations, this Final Environmental Impact Statement (FEIS) has been prepared to assist in review of a Department of the Army Permit application submitted by Empire, Ltd. The project proposed by Empire, Ltd. requires a permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.

Empire, Ltd. seeks authorization to discharge approximately 2.5 million cubic yards of fill material into 206 acres of waters of the United States, including wetlands, to create dry land to facilitate the construction of a mixed-use commercial development project. The project, known as Meadowlands Mills, would include a super-regional retail/entertainment center, office space, hotel, mass transit facility, warehouse/distribution facilities, and associated parking structures and roadways. The project is proposed to be constructed by the Mills Corporation of Arlington, Virginia.

The work is proposed at a 587-acre site ("the Empire Tract") containing wetlands and open waters adjacent to the Hackensack River within the Hackensack Meadowlands District in the Borough of Carlstadt and the Township of South Hackensack, Bergen County, New Jersey. The applicant has proposed a mitigation plan with the application, which would entail enhancement and creation activities to improve the value of approximately 380 acres of wetlands on the Empire Tract.

A "Notice of Intent" to prepare an Environmental Impact Statement on this permit application was published in the *Federal Register* on March 28, 1997. A Public Scoping Meeting was held on May 8, 1997, and a Final Scope of Work was issued on May 30, 1997. A Draft Environmental Impact Statement (DEIS) was published in July 2000. Two sessions of a regulatory public hearing on the DEIS and permit application were held on August 29 and September 25, 2000. Response to comments received from the reviewing agencies and public are in Chapter 14 of the FEIS, and are addressed in the FEIS text. A public notice announcing the availability of this document will be published concurrently with an announcement of its availability in the *Federal Register*.

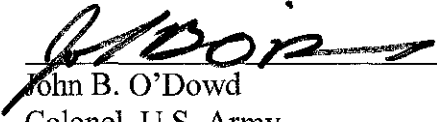
The FEIS evaluates existing site conditions and potential impacts, including indirect and cumulative impacts, of the proposed development, including alternative actions that were identified through the public scoping process and the Corps of Engineers analysis of the project to date. Alternatives to the applicant's proposal are discussed in Chapter 5 of this FEIS. USACE no longer considers the 206-acre Meadowlands Mills alternative to be viable, and this alternative is not evaluated further in this FEIS. Following an assessment of multiple alternatives in Chapter 5, the environmental consequences of four alternatives receive detailed consideration in Chapter 7. These are the No-Action Alternative and three development alternatives each requiring 134 acres of wetland fill (Empire Tract Alternatives D and E, and revised Empire Tract Alternative E). USACE has not made a determination of the agency's preferred alternative in this FEIS.

Section 7.16 of this FEIS contains a Draft Conformity Determination prepared in accordance with Clean Air Act requirements, and Appendix D of this FEIS contains related air emissions conformity analysis materials.

The public is encouraged to review this FEIS and provide comments on the information contained therein, and on the permit application as a whole. Comments need to be presented in writing to the following address:

U.S. Army Corps of Engineers, New York District
Regulatory Branch (Attn: Steven A. Schumach)
Jacob K. Javits Federal Building
New York, New York 10278-0090

Copies of this FEIS are available at repositories that are listed on the public notice. Copies of this document and the Appendices can also be provided upon request. For further information on this document, write to Steven A. Schumach, Regulatory Project Manager, at the above address, or via email at steven.a.schumach@usace.army.mil, or call him at (212) 264-0183.


John B. O'Dowd
Colonel, U.S. Army
District Engineer

14 May 2002
Date